

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

Denise Carlon, Esquire
KML Law Group, P.C.
216 Haddon Avenue, Suite 406
Westmont, NJ 08108
Main Phone: 609-250-0700
dcarlon@kmlawgroup.com
Attorneys for Secured Creditor
Toyota Motor Credit Corporation



Order Filed on February 25, 2019
by Clerk
U.S. Bankruptcy Court
District of New Jersey

In Re:
Visitacion A. Agnes, Vilma V. Montalban

Debtors.

Case No.: 17-35990 KCF

Adv. No.:

Hearing Date: 2/13/19 @ 9:00 a.m.

Judge: Katherine C. Ferguson

**ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR
RELIEF FROM STAY**

The relief set forth on the following pages, numbered two (2) through three (3) is hereby
ORDERED.

DATED: February 25, 2019

A handwritten signature in black ink, appearing to read "Kathryn C. Ferguson".

Honorable Kathryn C. Ferguson
United States Bankruptcy Judge

(Page 2)

Debtors: Visitacion A. Agnes, Vilma V. Montalban

Case No: 17-35990 KCF

Caption of Order: ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR RELIEF FROM STAY

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, Toyota Motor Credit Corporation, Denise Carlon, Esq. appearing, upon a motion to vacate the automatic stay as to 2015 Toyota 4Runner, VIN: JTEBU5JR9F5223913, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Robert Manchel, Esq., attorney for Debtors, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of February 4, 2018, Debtor is in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due December 2018 through February 2019 for a total post-petition default of \$1,988.20 (3 @ \$665.64 less \$8.72 in suspense); and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$1,988.20 will be paid by Debtor remitting \$331.36 for five months and \$331.40 for one month in addition to the regular monthly payment, which additional payments shall begin on March 1, 2019 and continue for a period of six months until the post-petition arrears are cured; and

It is further **ORDERED, ADJUDGED and DECREED** that regular payments are to resume March 1, 2019, directly to Secured Creditor's servicer, TMCC P.O. Box 5855 Carol Stream, IL 60197-5855; and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 13 bankruptcy proceeding, if the lump sum payment or any regular monthly payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtor shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$350.00 for attorneys' fees and \$181.00 for filing fees, totaling \$531.00, which is to be paid through Debtors' Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor's Motion for Relief is hereby resolved.

Certificate of Notice Page 3 of 3
United States Bankruptcy Court
District of New Jersey

In re:
Visitacion A. Agnes
Debtor

Case No. 17-35990-KCF
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Feb 25, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 27, 2019.

db +Visitacion A. Agnes, 140 Mineola Place, Edison, NJ 08817-3410

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 27, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 25, 2019 at the address(es) listed below:

Albert Russo docs@russotrustee.com
Charles G. Wohlrab on behalf of Creditor WELLS FARGO BANK, NA cwohrlab@logs.com,
njbankruptcynotifications@logs.com
Denise E. Carlon on behalf of Creditor Toyota Motor Credit Corporation
dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Kevin Gordon McDonald on behalf of Creditor Toyota Motor Credit Corporation
kmcDonald@kmlawgroup.com, bkgroup@kmlawgroup.com
Robert Manchel on behalf of Debtor Visitacion A. Agnes manchellaw@yahoo.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 6